

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

DULYN GROUP, INC.,

Case No.: 23-22002-shl

Debtor.

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**ORDER: (I) FINDING THE DEBTOR IN CONTEMPT OF THE COURT’S APRIL 26, 2023 ORDER; (II) IMPOSING CIVIL SANCTIONS ON THE DEBTOR FOR ITS NON-COMPLIANCE WITH THE COURT’S APRIL 26, 2023 ORDER; (III) AUTHORIZING THE TRUSTEE TO ISSUE SUBPOENAS FOR THE PRODUCTION OF DOCUMENTS AND INFORMATION RELATING TO THE DEBTOR’S FINANCIAL AFFAIRS; AND (IV) GRANTING RELATED RELIEF**

Upon the of the motion (“Motion”) [ECF No. 30] of Marianne T. O’Toole, as Chapter 7 Trustee (“Trustee”) of the estate of Dulyn Group, Inc. (“Debtor”), seeking entry of an Order, pursuant to sections 105, 521, 541 and 542 of title 11 of the United States Code (“Bankruptcy Code”) and Rules 9014 and 9020 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”): (i) finding the Debtor in contempt of the Court’s April 26, 2023 Order (“April 26 Order”) [ECF No. 14]; (ii) imposing civil sanctions on the Debtor for its non-compliance with the April 26 Order; (iii) authorizing the Trustee to issue subpoenas for the production of documents and information relating to the Debtor’s financial affairs and property of the Debtor’s estate; and (iv) granting the Trustee such other and further relief as the Court may deem just and proper; and upon the Declaration of Holly R. Holecek, Esq., which is annexed as Exhibit A to the Motion; and upon the Affidavit of Service of the Motion [ECF No. 31]; and there having been due and sufficient notice of the Motion and the opportunity for a hearing thereon; and no additional notice of hearing being required; and upon the hearing conducted on September 27, 2023 (“Hearing”); and upon the record of the Hearing, the transcript of which is incorporated by reference herein; and no additional notice or hearing being required;

THE COURT HEREBY FINDS THAT:

A. Notice of the Motion and the relief requested is adequate and no other or further notice is required.

B. The legal and factual bases set forth in the Motion and on the record at the Hearing establish just cause for the relief granted herein.

C. The April 26 Order is final and non-appealable, and there is no stay of the April 26 Order in effect.

D. The Debtor is contempt of the Court's April 26 Order.

NOW, THEREFORE, IT IS HEREBY

ORDERED that the Debtor is sanctioned \$1,000 per day effective as of five (5) days from the date of entry of this Order and continuing until the Debtor fully complies with the April 26 Order; and, it is further

ORDERED that service of a copy of this Order and upon the Debtor at: (i) its last known business address (170-174 Stevens Avenue, Mount Vernon, New York 10550); and (ii) its address for service of process per the New York State Department of State Division of Corporations website (c/o Daniel Naughton, 1583 Irving Street, Baldwin, New York 11510) via overnight mail shall be deemed good and sufficient notice and service of this Order; and, it is further

ORDERED that the Trustee is authorized to issue subpoenas in accordance with Rule 45 of the Federal Rules of Civil Procedure, which is applicable to this Chapter 7 case pursuant to Bankruptcy Rule 9016, for the production of documents and information relating to the Debtor's financial affairs and property of the Debtor's estate; and, it is further

ORDERED that the Trustee is authorized and empowered to expend such funds and execute and deliver any and all documents as are reasonably necessary to implement the terms of this Order.

Dated: November 21, 2023  
White Plains, New York

/s/ *Sean H. Lane*

Hon. Sean H. Lane  
United States Bankruptcy Judge